

**DECLARATION AND POWER OF ATTORNEY FOR
UNITED STATES LETTERS PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

KNOTLESS BIOABSORBABLE SUTURE ANCHOR SYSTEM AND METHOD

the specification of which

(check one)

☒ is attached hereto.

☒ was filed on: October 18, 2000

as Application No.: 09/691,685

and was amended on:
(if applicable).

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at Nutter, McClennen & Fish, LLP, One International Place, Boston, MA 02110-2699, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(check one)

- ☒ no such foreign applications have been filed.
- ☐ such foreign applications have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATION(s)

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

(check one)

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional applications have been filed as follows:

Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119(e)
		___ Yes No ___
		___ Yes No ___
		___ Yes No ___

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(s)

I hereby claim the benefit under Title 35, United States Code §120, of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

(check one)

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT applications have been filed as follows:

Application Number	Date of Filing (month, day, year)	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

Ronald E. Cahill	Reg. No. 38,403	Reza Mollaaghababa	Reg. No. 43,810
Maria M. Eliseeva	Reg. No. 43,328	Tram Anh T. Nguyen	Reg. No. 47,257
Thomas J. Engellenner	Reg. No. 28,711	David J. Powsner	Reg. No. 31,868
Michael I. Falkoff	Reg. No. 30,833	Richard J. Roos	Reg. No. 45,053
William C. Geary III	Reg. No. 31,359		
Lisa J. Michaud	Reg. No. 44,238		

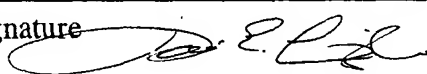
all of Nutter McClennen & Fish, LLP, One International Place, Boston, Massachusetts 02110-2699, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Please mail correspondence to: William C. Geary III at **Customer Number 021125**, whose address is:

Nutter McClennen & Fish, LLP
One International Place
Boston, Massachusetts 02110-2699

Please direct telephone calls to: William C. Geary III
at (617)439-2766.

Please direct facsimiles to: (617)310-9766

Full name of sole or first joint inventor José E. Lizardi	
Inventor's Signature 	Date 1/30/2001
Residence 3 Kayla Drive, Franklin, MA 02038	
Country of Citizenship United States	
Post Office Address (required) same as above	



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JULY 18, 2001

PTAS

NUTTER, MCCLENNEN & FISH, LLP
THOMAS J. ENGELLENNER
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2699



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**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/02/2001

REEL/FRAME: 011752/0774
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LIZARDI, JOSE E.

DOC DATE: 01/30/2001

ASSIGNEE:

ETHICON, INC.
ROUTE 22 WEST
SOMERVILLE, NEW JERSEY 08876

SERIAL NUMBER: 09691685
PATENT NUMBER:

FILING DATE: 10/18/2000
ISSUE DATE:

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

05-07-2001

ATTY DOCKET NO. 22956-64



**CORDATION FORM COVER SHEET
PATENTS ONLY**

101703032

To the Assistant Commissioner for Patents and Trademarks: Please record the attached original documents or a copy thereof.

1. Name of conveying party(ies):

Josè E. Lizardi

4.26.01

2. Name and address of receiving party(ies):

Name: Ethicon, Inc.
Street Address: Route 22 West
City: Somerville
State: NJ Zip: 08876

Additional name(s) of conveying party(ies) attached?

☐

Yes

☒

No

3. Nature of conveyance:

☒

Assignment

☐

Security Agreement

☐

Merger

☐

Change of Name

☐

Other:

Execution Date: January 30, 2001

Additional name(s) & address(es) attached?

☐

Yes

☒

No

4. Application number(s) or patent number(s): (If this document is being filed together with a new application, the execution date of the application is: N/A)

A. Patent Application No(s): 09/691,685

B. Patent No(s): N/A

Additional numbers attached?

☐

Yes

☒

No

5. Name and address of party to whom correspondence concerning document should be mailed:

Atty. Name: Thomas J. Engellenner
Firm Name: Nutter, McClennen & Fish, LLP
Street Address: One International Place
City/State: Boston, MA
Zip Code: 02110-2699

6. Total number of applications and patents involved? 1

7. Total fee (37 CFR 3.41):

☐ Fee Enclosed☐ Charge Deposit Account No. 141449

☐ The Commissioner is hereby authorized to charge underpayment/credit overpayment to Deposit Account No. 141449.

(Attach duplicate copy of this page if paying fees by Deposit Account)

05/04/2001 LMUELLER 00000069 141449 09691685

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DO NOT USE THIS SPACE

9. Statement and signature (To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.)

Tram Anh T. Nguyen
Name of Attorney/Agent

Signature

Date

23 April 2001

Total number of pages including cover sheet: 3

ASSIGNMENT

Whereas I, the undersigned, **José E. Lizardi**, hereby have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled **KNOTLESS BIOABSORBABLE SUTURE ANCHOR SYSTEM AND METHOD**, identified as Attorney Docket No. 22956-64, which application was filed on October 18, 2000 and assigned Application No. 09/691,685. In the event that the execution date, filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys at Nutter, McClennen & Fish, LLP, One International Place, Boston, MA 02110-2699, to insert above the execution date, filing date and/or Application No. of said application.

Whereas, **Ethicon, Inc.**, a New Jersey corporation having a place of business at Route 22 West, Somerville, New Jersey, 08876, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservation:

1. Assign, transfer and convey to Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, reissue and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in my name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

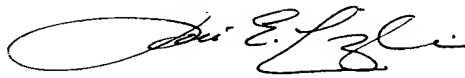
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;

4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to Assignee without encumbrance;

5. Bind my heirs, legal representatives and assigns, as well as myself, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to me or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by me, my heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to me relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in my control or in the control of my heirs, legal representatives or assigns which may be useful for establishing the facts of my conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which I have executed this Assignment as an instrument under seal on the dates indicated next to my name.

Dated: 1/30/2001



José E. Lizardi

Commonwealth of Massachusetts

County of Norfolk

On this 30th day of January, 2001, before me appeared **José E. Lizardi** to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she acknowledged the same to be his/her free act and deed.

Judith Di Rado Barber
Notary Public

My Commission Expires: Sept. 13, 2002

[seal]
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